

0375/68103-PCT-US



JPW/BTN

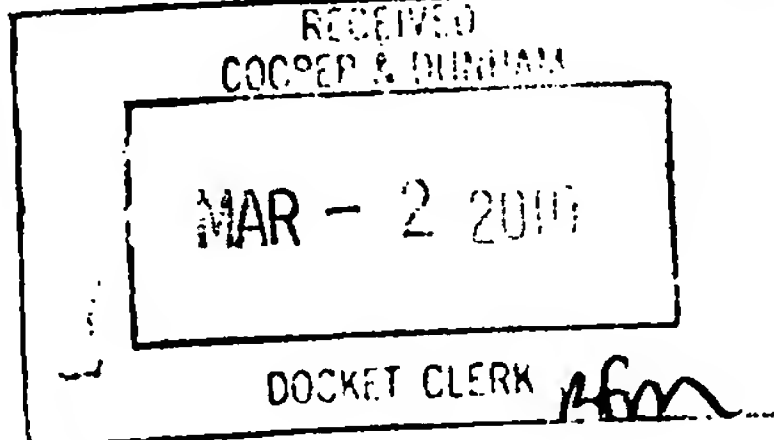


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/578,203	Kausik Si	68103-PCT-US/JPW/CH

23432  
COOPER & DUNHAM, LLP  
30 Rockefeller Plaza  
20th Floor  
NEW YORK, NY 10112



INTERNATIONAL APPLICATION NO.	
PCT/US04/36781	
I.A. FILING DATE	PRIORITY DATE
11/05/2004	11/07/2003

CONFIRMATION NO. 5211  
371 FORMALITIES LETTER



Date Mailed: 02/26/2010

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT  
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE  
AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Filing Date Granted

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to comply with the sequence rules, 37 CFR §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR § 1.821(g). Extension of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR § 1.136. In no case may an applicant extend the period for response beyond the six-month statutory period. Direct the response to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Sequence Listing Due 4-26-10  
3MO 5-26  
4MO 6-26  
5MO 7-26  
6MO 8-26  
7MO 9-26

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patent Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

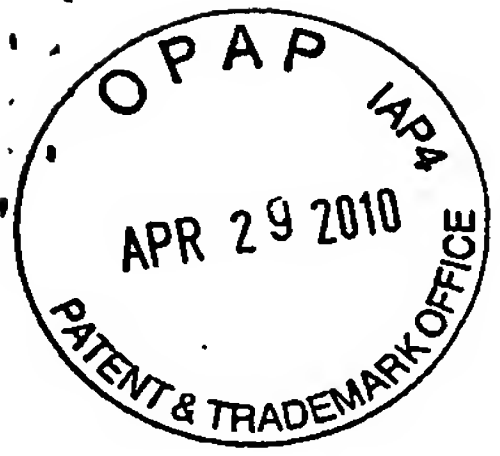
For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

DONNA S GREENE

---

Telephone: (703) 756-1408



## SEQUENCE LISTINGS AND TABLES RELATED THERETO IN INTERNATIONAL APPLICATIONS FILED IN THE U.S. RECEIVING OFFICE

The Administrative Instructions (AIs) under the Patent Cooperation Treaty (PCT), in force as of July 1, 2009, contain important changes relating to the manner of filing, and applicable fees for, sequence listings and/or tables related thereto (sequence-related tables) in international applications. The complete text may be accessed at <http://www.wipo.int/pct/en/texts/index.htm>.

Effective July 1, 2009, Part 8 and Annex C-*bis* will no longer form part of the AIs. Part 8 was introduced in 2001 as a temporary solution to problems arising from the filing of very large sequence listings on paper and provided for a *sequence listing forming part of the international application* to be filed in electronic form on physical medium (e.g., CD), together with the remainder of the application on paper. In 2002, Part 8 was expanded to include sequence-related tables and Annex C-*bis* was added to provide technical requirements. All applicants may now file complete international applications in electronic form, eliminating the need for these temporary provisions.

### **I. AIS PART 8 AND ANNEX C-BIS DELETED AS OF JULY 1, 2009**

- A) **Sequence-related tables cannot be filed as a separate part of the description or in text format.** They must be provided as an integral part of the international application either:
- in PDF format as part of an international application filed in electronic form via EFS-Web; or
  - on paper as part of an international application filed on paper.
- B) **A *sequence listing forming part of an international application* may be provided either:**
- in electronic form, as part of an international application filed in electronic form via EFS-Web, in
    - Annex C/ST.25 text format (preferred), or
    - PDF format; or
  - on paper as part of an international application filed on paper.
- C) **A *sequence listing not forming part of the international application* (for search under PCT Rule 13ter) in Annex C/ST.25 text format**
- is not required where the *sequence listing forming part of the international application* was filed in Annex C/ST.25 text format as part of an international application filed in electronic form via EFS-Web
  - is required for search where the *sequence listing forming part of the international application* was filed in PDF
  - is required for search on physical medium (e.g., CD) where the *sequence listing forming part of the international application* was filed on paper as part of an international application filed on paper.

### **II. CALCULATION OF THE INTERNATIONAL FILING FEE AND FEE REDUCTION UNDER AI § 707**

- A) **A sequence-related table must form an integral part of the international application and will incur FULL page fees with no upper limit.**
- B) **A *sequence listing forming part of an international application* filed:**
- via EFS-Web in Annex C/ST.25 text format will incur NO page fees;
  - on paper or in PDF format will incur FULL page fees with no upper limit.

### **III. AVAILABILITY OF SEQUENCE LISTINGS SUBMITTED FOR SEARCH UNDER PCT RULE 13TER**

International Searching Authorities will be required to transmit to the International Bureau a copy of an Annex C/ST.25 text format sequence listing provided for search under PCT Rule 13ter. Any such sequence listing will be made available on PATENTSCOPE® (*sequence listings forming part of the international application* are already available).

### **IV. JULY 2009 REQUEST (PCT/RO/101)**

The Request now has two options for the last sheet: one for paper filings; and one for EFS-Web filings. The July 2009 Request may be accessed at <http://www.wipo.int/pct/en/forms/index.htm>.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
-----------------------------	-----------------------	------------------

10/578,203

Kausik Si

68103-PCT-US/JPW/CH

23432

COOPER & DUNHAM, LLP

30 Rockefeller Plaza

20th Floor

NEW YORK, NY 10112

INTERNATIONAL APPLICATION NO.

PCT/US04/36781

I.A. FILING DATE

11/05/2004

PRIORITY DATE

11/07/2003

**CONFIRMATION NO. 5211**  
**371 WITHDRAWAL NOTICE**



Date Mailed: 02/26/2010

**Letter Regarding a New Notice and/or the Status of the Application**

If a new notice or Filing Receipt is enclosed, applicant may disregard the previous notice mailed on 08/02/2007. The time period for reply runs from the mail date of the new notice. Within the time period for reply, applicant is required to file a reply in compliance with the requirements set forth in the new notice to avoid abandonment of the application.

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If the reply is not filed electronically via EFS-Web, the reply must be accompanied by a copy of the new notice.

If the Office previously granted a petition to withdraw the holding of abandonment or a petition to revive under 37 CFR 1.137, the status of the application has been returned to pending status.

DONNA S GREENE

Telephone: (703) 756-1408

## **EXHIBIT B**

## **Exhibit C**